

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Angelia J. Larson,

Plaintiff,

Case No. 09-cv-_____

v.

Notice of Removal

Wells Fargo Bank, N.A.; and
Federal Home Loan Mortgage Corporation;

Defendants.

TO: Plaintiff and her attorney Sam V. Calvert, 1011 Second Street North, Suite 107, St. Cloud, Minnesota 56303

Under 28 U.S.C. § 1446, defendant Wells Fargo Bank, N.A. (“Wells Fargo”) hereby gives notice of the removal of the above-entitled action to the United States District Court for the District of Minnesota, and in support of the Notice of Removal states as follows:

1. On or about December 5, 2009, plaintiff commenced an action against Wells Fargo in Big Stone District Court, File No. 06-CV-09-220, entitled Angelia J. Larson v. Wells Fargo Bank, N.A. (the “State Action”). A copy of the Summons and Complaint in the State Action are submitted with this Notice of Removal.

2. Copies of all process, pleadings, and orders served on Wells Fargo in the State Action are attached as Exhibit 1 to this Notice of Removal.

3. The United States District Court for the District of Minnesota has original jurisdiction over this action under 28 U.S.C. §§ 1331 and 1332(a)(1).

a. The Court has federal-question jurisdiction under 28 U.S.C. § 1331 because under 12 U.S.C. § 1452(f)(2), all civil actions to which defendant Federal Home Loan Mortgage Corporation (“Freddie Mac”) is a party “shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such actions, without regard to amount or value.”

b. The Court has diversity jurisdiction under 28 U.S.C. § 1332(a) because: (1) plaintiff’s Complaint demonstrates that the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs; (2) the matter in controversy is between citizens of different States because (a) plaintiff is a citizen of Minnesota, (b) Wells Fargo is a national banking association organized under the laws of the United States with its principal place of business in South Dakota, which makes it a citizen of South Dakota for diversity purposes; and (c) on information and belief, Freddie Mac is not a citizen of Minnesota for diversity purposes.

4. This notice of removal is filed within thirty days after service of the Summons and Complaint on Wells Fargo.

5. The United States District Court for the District of Minnesota is the District Court for the district embracing the entire state of Minnesota, where the State Action is currently pending. *See* 28 U.S.C. § 103.

6. Wells Fargo expressly reserves its right to raise all defenses and objections to plaintiffs' claims after the action is removed to the above Court.

Dated: December 29, 2009

FAEGRE & BENSON LLP

s/ Charles F. Webber

Charles F. Webber

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